

AMENDED IN SENATE JUNE 18, 2002

AMENDED IN ASSEMBLY APRIL 22, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

## ASSEMBLY BILL

No. 2944

### Introduced by Assembly Member Kehoe

February 25, 2002

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An act to add and repeal Section 25407 of the Public Resources Code, relating to energy conservation and development.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2944, as amended, Kehoe. Energy conservation and development: San Diego Solar Streetlights Pilot Program.

#### ~~Existing~~

(1) *Existing* law establishes the State Energy Resources Conservation and Development Commission within the Resources Agency, with powers and responsibilities that include the development of alternative renewable sources of energy.

This bill would establish, until January 1, 2006, the San Diego Solar Streetlights Pilot Program to educate the public on the feasibility of solar energy systems and to encourage greater use of solar energy systems in both commercial and residential applications. The bill would require the ~~commission~~ City of San Diego, if successful in effectuating the pilot project, to report to the ~~Governor and the Legislature~~ commission on the pilot program, and thus would impose a state-mandated local program.

(2) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.*

*Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) It is in the best interests of the people of this state that the  
4 quality of life of its citizens be improved by providing  
5 environmentally sound, safe, reliable, and affordable energy  
6 services and products.

7 (b) It is in the best interests of the people of this state to reduce  
8 our reliance upon ~~electrical corporations and~~ electricity generated  
9 by thermal powerplants.

10 (c) It is in the best interests of the people of this state to  
11 encourage the use of alternative energy sources, including solar  
12 energy systems, as a means of reducing that reliance.

13 (d) Pilot programs demonstrating to the public both the  
14 feasibility and reliability of alternative energy sources are an  
15 effective means to encourage the public to use solar energy  
16 systems.

17 ~~SEC. 2.—Section 25407 is added to the Public Resources Code,~~  
18 ~~to read:~~

19 ~~25407.—~~

20 SEC. 2. (a) The San Diego Solar Streetlights Pilot Program  
21 is hereby established to educate the public on the feasibility of  
22 solar energy systems as an alternative renewable energy source,  
23 and to encourage greater use of solar energy systems in both  
24 commercial and residential applications.

25 (b) The project shall utilize resources of California alternative  
26 energy companies for a solar street lighting system for a portion

1 of the city not to exceed a six-block radius. “Street lighting  
2 system” includes any or all appliances, poles, posts, electroliers,  
3 transformers, lighting units, lamps, cables, wires, pipes, conduits,  
4 and other suitable or necessary works or appliances for street  
5 lighting purposes.

6 (c) The participating alternative energy companies shall, in  
7 consideration of certain incentives to be devised by the City of San  
8 Diego in concert with the alternative energy producers, donate the  
9 physical plant and necessary infrastructure to bring the pilot  
10 project into being. No state funds shall be encumbered in order to  
11 conduct, or pay for, any part of the pilot program originally  
12 undertaken or provided by any industry or business participant.  
13 Nothing in this subdivision shall be construed as prohibiting the  
14 use of federal funds, should they become available for purposes  
15 consistent with this section or ~~from~~ preventing the commission  
16 from using existing resources, to provide technical or other  
17 assistance to the program.

18 (d) The industry or business participants of the pilot program  
19 may be identified in public, provided the brands of products  
20 employed shall not be identified, nor shall their use be deemed an  
21 endorsement of any particular brand or proprietary approach to  
22 using alternative energy.

23 (e) On or before January 1, 2005, ~~the commission~~ *if the City of*  
24 *San Diego is successful in effectuation of the pilot project, the city*  
25 *shall report to the Governor and the Legislature State Energy*  
26 *Resources Conservation and Development Commission* on the  
27 pilot program. This report shall include, but is not limited to, an  
28 analysis of the costs and benefits of equipment and materials used  
29 in the pilot program, a discussion of the results obtained and a  
30 discussion of the implications for statewide implementation of the  
31 program.

32 (f) This section shall remain in effect only until January 1,  
33 2006, and as of that date is repealed, unless a later enacted statute,  
34 that is enacted before January 1, 2006, deletes or extends that date.

35 *SEC. 3. Notwithstanding Section 17610 of the Government*  
36 *Code, if the Commission on State Mandates determines that this*  
37 *act contains costs mandated by the state, reimbursement to local*  
38 *agencies and school districts for those costs shall be made*  
39 *pursuant to Part 7 (commencing with Section 17500) of Division*  
40 *4 of Title 2 of the Government Code. If the statewide cost of the*

1 *claim for reimbursement does not exceed one million dollars*  
2 *(\$1,000,000), reimbursement shall be made from the State*  
3 *Mandates Claims Fund.*  
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